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AUTHOR Levitz, Corinne
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ABSTRACT

This annotated bibliography is designed to acquaint the reader with selected publications on the rationale for and history of law-related education (LRE). The focus is primarily on works by people associated with the American Bar Association's Special Committee on Youth Education for Citizenship. These works indicate the range of resources available, and provide a basic understanding of LRE's origins and goals. The bibliography includes American Bar Association publications, journal articles, and books. Source information is provided for the materials included. (JB)

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TECHNICAL ASSISTANCE BULLETIN NO.2

Selected Background Readings on Law-Related Education (LRE)

by
Corinne Levitz

American Bar Association Special Committee on Youth Education for Citizenship

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SO 020 306

Bulletin

American Bar Association *Special Committee on Youth Education for Citizenship*

Selected Background Readings on Law-Related Education (LRE)

by Corinne Levitz

This annotated bibliography is designed to acquaint the reader with selected publications on the rationale for and history of law-related education (LRE). Many law-related education programs, state departments of education, universities, and others have published exemplary work in this field. Space does not permit us to discuss them all here. Rather, we have focused primarily on works by people associated with the American Bar Association's Special Committee on Youth Education for Citizenship. These works indicate the range of resources available, and provide a basic understanding of LRE's origins and goals.

American Bar Association Publications

- Anderson, Charlotte C., and Lynda Carl Falkenstein, editors, *Daring to Dream: Law and the Humanities for Elementary Schools* (Chicago: American Bar Association's Special Committee on Youth Education for Citizenship, 1980).

This is a collection of symposium papers addressing such critical issues as children's learning, schools and schooling, program development and support, and evaluation. It represents a major effort to focus on improving civic learning in the elementary schools, long before children reach high school. It draws upon two great cultural traditions—humanities and law—to make this curricular thrust not just another fad to be "added on" to an overburdened curriculum. Rather, the goal is to revivify civic learning in elementary schools.

- White, Charles J., editor, *Building Bridges to the Law: How to Make Lawyers, Judges, Police and Other Members of the Community a Part of Your Law-Related Education Program* (Chicago: American Bar Association's Special Committee on Youth Education for Citizenship, 1981).

Strong community involvement has been one of the strengths of LRE from the very beginning. The active support of lawyers, police and probation officers, judges, and many others from the community has been a hallmark of this movement. It has greatly strengthened programs administratively, but more important, it has provided educational resources that no other movement can match. Research shows that an excellent way of making any subject real to students is to show it in action. Getting the community into the classroom (and students into the community) has made law-related education a vivid subject for students all over the country.

This is a "how to" book. It contains articles explaining how projects from around the country have been successful and provides dozens of tips on how the reader can achieve the same success.

- White, Charles J., *Mandate for Change: The Impact of Law on Educational Innovation* (Chicago: American Bar Association's Special Committee on Youth Education for Citizenship, 1979).

This report of a Ford Foundation-supported study compares curriculum laws and regulations in all 50 states with their actual impact on the classroom, especially as they affect the teaching of law-related education. The study seeks to determine whether laws impede or encourage an innovation such as law-related education. The study is supplemented by in-depth interviews of teachers and administrators in five states.

It concludes that mere legislative mandating of curriculum in any subject, including law, does not insure any meaningful classroom activity. In fact, no law or regulation, unless integrated into a comprehensive program of public awareness, parent involvement, teacher education, and student engagement, will have an impact on what students learn.

This report will be useful to those seeking a better understanding of innovation in education generally, especially curriculum innovators and scholars studying the process of innovation. It provides a number of recommendations both for those who make and implement education law and for those who might seek to influence educational policy. It also provides insight into how teacher attitudes and behavior influence both formal and informal curricula.

Journal Articles

- Anderson, Charlotte C., guest editor, *Intercom 100, Through the Legal Looking Glass: Reflections of Peoples and Cultures* (December, 1981).

Global and law-related education overlap in the field of comparative law. While the term "comparative law" suggests cross-cultural comparisons, it often refers studying law in other societies without necessarily drawing comparisons with the students' own legal system. This issue demonstrates a few of the ways that the study of law can enrich the study of any society or culture, including one's own. Indeed, any law-related education which does not provide opportunities to explore alternative legal systems runs the risk of warping or inadequately developing students' understanding of their own jurisprudential heritage.

- Anderson, Charlotte C., guest editor, *Intercom 103, Beyond Boundaries: Law in a Global Age* (January, 1983).

Global and law-related education share a mutual concern for international law, which is the focus of this issue. The teaching materials in this issue guide teachers and students in identifying ways international law is—or can become—an arena for applying their developing citizenship skills.

- Anderson, Charlotte C., and Mabel C. McKinney-Browning, "What Principals Should Know About Law-Related Education," *Principal* (January 1982), 42-46.

While a rich and varied array of programs in law-related education is available for all grade levels, many school administrators wonder how they can develop a program in their own school, what costs are involved, and where they can get help or advice on getting started. This article poses these and other questions, and provides responses which represent the collective experience of LRE program directors across the country.

- Anderson, Charlotte C., Mabel C. McKinney-Browning, and Lynda Carl Falkenstein, guest editors, "Law-Related Education," *Social Education* (May 1980), 382-397.

Bulletin

Editor: Charles White
Designer: Harvey Retzloff
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This is one in a series of technical assistance bulletins on law-related education. They are published by the American Bar Association's Special Committee on Youth Education for Citizenship, 750 N. Lake Shore Drive, Chicago, IL 60611, 312/988-5725.

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In this issue of *Social Education*, a number of articles are geared toward law-related education in elementary schools.

Charlotte Anderson's article, "Promoting Responsible Citizenship Through Elementary Law-Related Education," summarizes guidelines for elementary law-related education programs. These guidelines may also stimulate critical review, leading to clearer definitions of what elementary education can and should be. The article concentrates on two critical features of elementary LRE programs: (1) the learning outcomes sought by such programs, and (2) the learning environment that facilitates such outcomes.

The three other articles in this compilation deal with (1) a student governance program which enhances the law-related/citizenship education students receive, (2) sample LRE learning experiences for elementary classrooms, and (3) a bibliography of children's literature with a strong LRE content.

- Hahn, Carole L., "The Status of the Social Studies in the Public Schools of the United States: Another Look," *Social Education* (March 1985), 220-223.

This 1985 survey of state social studies curriculum specialists and supervisors reveals that since 1975 LRE has been added to the social studies curriculum in more than half of the forty-six states responding. Law-related education was identified as the fourth most important priority of these respondents. The first priority—citizenship education—is one that often includes law-related content and strategies.

Hahn's article provides an overall picture of the direction social studies was taking between 1976 and 1983, and how that direction holds significance now as we assess the status of social studies before undertaking new initiatives.

- Little, Judith Warren, and Frances Haley, "Implementing Effective LRE Programs," *ERIC* Fact Sheet No. 8 (December 1982; ERIC Order Number: ED 233928).

This fact sheet discusses the relation between law-related education and delinquency prevention. The preliminary results of the study highlighted here indicate that when properly taught, law-related education can have a positive effect on delinquency and can improve a range of student attitudes related to delinquency. The fact sheet discusses the prescribed principles necessary to bring about a reduction in delinquent behavior, and their implications for program planning and implementation.

- McKinney-Browning, Mabel C., guest editor, *The International Journal of Social Education* (Autumn, 1987).

This issue of the *The International Journal of Social Education* is devoted entirely to law-related education. It includes a wide array of articles covering this topic, beginning with McKinney-Browning's comprehensive "Law-Related Education: Programs, Process, and Promise," which introduces the theme of this issue and places the succeeding articles within the context of the theme.

The other articles explore the processes or strategies that have guided law-related education over the years within and outside of the school community.

These articles discuss law-related education as it relates to: curriculum enhancement, institutionalization, delin-

For Publications and More Information

The publications described in this bibliography can be obtained from the following sources:

- *Building Bridges to the Law, Daring to Dream,* and *Mandate for Change,* American Bar Association, Special Committee on Youth Education for Citizenship, Clearinghouse, 750 North Lake Shore Drive, Chicago, IL 60611; (312) 988-5733. Cost: $1 each.
- *Ends in View: An Analysis of the Goals in Law-Related Education*, Center for the Study of Curriculum and Instruction, The University of British Columbia, Vancouver, British Columbia, Canada V6T 1Z5; (604) 338-6502. Cost: $30.
- ERIC Publications: ERIC (Education Resources Information Center), Document Reproduction Service, 3900 Wheeler Avenue, Alexandria, VA 22304 – 6409; (800) 227-3742.
- ERIC general information and assistance: Clearinghouse for Social Studies/Social Science Education, 2805 East Tenth Street, Suite 120, Indiana University, Bloomington, IN 47408; (812) 855-3838.
- *Intercom*, The American Forum for Global Education, 45 John Street, Suite 1200, New York, NY 10038; (212) 732-8606. (The last issue of this magazine was published in 1986; however, copies of individual back issues are available at a cost of $4.00, plus handling.)
- *The International Journal of Social Education* (Official Journal of the Indiana Council for the Social Studies), Ball State University, Burkhardt Building, Department of History, Muncie, IN 47306; (317) 285-8728.
- *Law, Justice, and the Individual in Society: Psychological and Legal Issues* (ISBN #: 0030 – 121566), Holt, Rinehart and Winston, 6277 Sea Harbor Drive, Orlando, FL 32821; Customer Service: (800) 782-4479. Cost: $30 (plus tax and shipping).
- *Peabody Journal of Education*, Peabody College of Vanderbilt University, Nashville, TN 37203; (615) 322-8963. (Copies of Isidore Starr's article "The Law Studies Movement: A Memoir" also can be obtained from the ABA/YEFC Clearinghouse for $2).
- *Principal*, National Association of Elementary School Principals, 1615 Duke Street, Alexandria, VA 22314; (703) 684-3345. (Copies of the 1/82 issue referred to in this bibliography are out of print. Copies can be obtained from the ABA/YEFC Clearinghouse for $2).
- *Social Education*, National Council for the Social Studies, 3501 Newark Street, N.W., Washington, DC 20016; (202) 966-7840.
- *Today's Education*, National Education Association, 1201 Sixteenth Street, N.W., Washington, DC 20036; (202) 822-7200. (The last issue of this magazine was published in 1986-87, and the November-December, 1980, issue is no longer in print. Copies of the supplement, however, can be obtained from the ABA/YEFC Clearinghouse for $2).

quency theory, constitutional studies, juvenile justice, the application of technology, and the effects of cultural differences on the perception and practice of law.

- McKinney-Browning, Mabel C., supplement editor, *Today's Education* (November-December 1980), 61-68.

This supplement to *Today's Education* consists of six short articles introducing different ways that teachers nationwide are building LRE into their course. Highlighted are mock trials, literature, and problem solving.

- Pereira, Carolyn, "Law-Related Education in Elementary and Secondary Schools," *ERIC Digest* (ERIC Order Number: EDO-SO88-6) (Bloomington, Indiana: Clearinghouse for Social Studies/Social Science Education, June 1988).

This article addresses (1) the meaning of law-related education, (2) reasons for including LRE in the curriculum, (3) ways to include LRE in the curriculum, and (4) characteristics of effective LRE programs in elementary and secondary schools. Also included is a short resource list of additional background readings.

- Starr, Isidore, "The Law Studies Movement: A Memoir," *Peabody Journal of Education* (October 1977), 6-11.

This article by Isidore Starr, affectionately known as the "father of law-related education," provides a history of the law-related education movement and its early pioneers. This account of the beginnings and growth of the law studies movement contributes usefully to understanding the jig-saw puzzle of curricular change. The consensus of the early leaders in the field of LRE was that effective law studies instruction would lead to an understanding of the nature of law in our society, develop analytical skills in confronting value conflicts, assist in probing moral and ethical dilemmas, and develop an appreciation for legal processes and the bases of law.

- Starr, Isidore, guest editor, "Teaching About the U.S. Constitution," *Social Education* (May 1973), 361-430.

This section contains topical articles, curricular suggestions, teaching strategies, and instructional resources, all related to teaching about the Constitution.

"Law in the Schools: Goals and Methods," by Paul A. Freund, is one of a number of excellent articles in this issue. In this article, Freund helps to guide LRE in its formative years by setting out basic goals that continue to shape quality LRE programs today.

Freund asserts that learning moral reasoning or ethical analysis by continual practice in reaching decisions and having to justify them is a primary goal, and one that carries with it not only a resulting knowledge or appreciation of the law, but also a skill useful to the student's entire educational process.

According to Freund, the methods for reaching these goals should involve a participatory, interactive learning process for the students, using activities such as simulation and role-playing.

Books

- Combs, Jerrold, Shirley Parkinson, and Roland Case, editors, *Ends in View: An Analysis of the Goals in Law-*

Related Education (Vancouver, Canada: University of British Columbia Center for the Study of Curriculum and Instruction, 1989).

This collection contains original papers by a number of Canadian and American teacher-educators and legal educators. The papers critically assess some suggested goals of law-related education (as opposed to methods or strategies for teaching LRE content), and propose and justify new goals for LRE. Topics include: critical thinking and LRE, teaching about law reform, LRE as citizenship education, legal reasoning, and building respect for law. The publication is geared toward both LRE teachers and instructors of preservice LRE teachers.

- *Final Report of the U.S. Office of Education Study Group on Law-Related Education* (Washington, D.C.: U.S. Government Printing Office, 1979), OE Publication No. 79-43000. (This publication is out of print and is no longer available from the U.S. Government Printing Office. Copies can be obtained from the ABA/YEFC Clearinghouse for $2).

The Study Group on Law-Related Education examined the condition of law-related education in the United States, including its growth, the roles which various agencies and institutions played in that growth, the values of LRE, and its needs. The report of the Study Group sets forth a strategy to accomplish national support for LRE.

A memorandum submitted by the American Bar Association is attached to the Study Group's report as Appendix E. The "Memorandum on Law-Related Education: A Crucial Component of American Education" reflects the collective thinking of many leaders in the field of law-related education.

- Levine, Felice J., and June Louin Tapp, editors, *Law, Justice, and the Individual in Society: Psychological and Legal Issues* (New York: Holt, Rinehart and Winston, 1977).

Three chapters in this book provide good backround readings on LRE. Paul A. Freund, the author of "Law in the Schools," focuses on the objectives of law teaching as a component of elementary and high-school education. Not only should legal education teach the content of law, it should also emphasize an ability to reason dialectically, cope with uncertainty, appreciate the ethical dimensions of problems, and weigh the consequences of diverse action. The complexities of achieving these goals are discussed, as well as the kinds of objectives law programs might well include. (In this article, Freund provides an adaptation of the goal statements outlined in his earlier 1973 *Social Education* article, "Law in the Schools: Goals and Methods.")

Felice J. Levine and June Louin Tapp, in their chapter "The Dialectic of Legal Socialization in Community and School," aim to clarify the relation between the individual's natural reasoning ability and the impact of social variables. Legal education should be part of a broad societal commitment to socialize and resocialize individuals to become more interactive, self-reliant participants in multiple systems of law.

"Developing Senses of Law and Legal Justice," by June Louin Tapp and Lawrence Kohlberg, sets forth a theory of legal development, derived from cognitive developmental theory, using data on American students from kindergarten to college, as well as data on preadolescents from many nations. The data shows that socialization experiences can influence the growth of legal values and roles both positively and negatively. Implications of the theory and findings are discussed for legal socialization.

CORINNE "COOKIE" LEVITZ *is a lawyer who now serves as a project director for the ABA's Special Committee on Youth Education for Citizenship.*